



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Steven Hepworth, et al.)
)
Serial No.: 10/594,354)
)
Filed: September 26, 2006)
)
For: Gripping Apparatus)
)
)
_____)

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

July 31, 2008
Sacramento, California 95814

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Sir:

This is in response to the Notification of Defective Response mailed on June 5, 2008 and the Notification of Missing Requirements Under 35 U.S.C. §371 mailed on February 4, 2008 (copies of which are attached). This response is timely pursuant to 37 C.F.R. §1.136(a) and the enclosed Petition for Extension of Time which extends the due date of the Notification of Missing Requirements by four months, through August 4, 2008.

Applicants submit the enclosed Replacement Sheet 8/8 which corrects Fig. 11b to add the reference to (c), a locking member, as referred to on page 7, paragraph 8, of the specification. The locking member is identified by reference numeral 68 (see specification, page 12, paragraph 2, and Figures 11a and 11b.)

No new matter has been added.



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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
|-----------------------------|-----------------------|------------------|
| 10/594,354 | Steven Hepworth | 12283/15451 |

Audrey A. Millemann
Weintraub Genshlea Chediak
400 Capitol Mall, 11th Floor
Sacramento, CA 95814

INTERNATIONAL APPLICATION NO.

PCT/GB2005/001083

| I.A. FILING DATE | PRIORITY DATE |
|------------------|---------------|
| 03/22/2005 | 03/26/2004 |

CONFIRMATION NO. 4653
371 FORMALITIES LETTER



Date Mailed: 06/05/2008

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- Priority Document
- Copy of the International Application filed on 09/26/2006
- English Translation of the IA filed on 03/22/2008
- Copy of the International Search Report filed on 09/26/2006
- Copy of IPE Report filed on 09/26/2006
- Information Disclosure Statements filed on 03/06/2008
- Oath or Declaration filed on 02/22/2008
- U.S. Basic National Fees filed on 09/26/2006
- Priority Documents filed on 09/26/2006
- Power of Attorney filed on 02/22/2008
- Specification filed on 09/26/2006
- Claims filed on 09/26/2006
- Abstracts filed on 09/26/2006
- Drawings filed on 09/26/2006

Applicant's response filed 03/22/2008 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 02/04/2008 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. The current translation of the application into English is defective as described below. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Drawing figure 11c missing or not labeled in drawing figures

Applicant is required to complete the response within a time limit of **ONE MONTH** from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

6/20/08
7/5/08

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebs>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

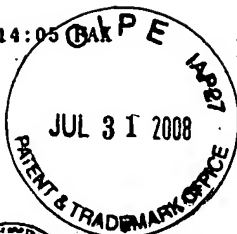
BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

07/03/2008 14:05

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002/003



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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Alexandria, Virginia 22313-1450
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| | | |
|---|--|---------------------------------|
| U.S. APPLICATION NUMBER NO. 10/594,354 | FIRST NAMED APPLICANT Steven Hepworth | ATTY. DOCKET NO. 12283/15451 |
| INTERNATIONAL APPLICATION NO. PCT/GB05/01083 | | |
| I.A. FILING DATE 03/22/2005 | PRIORITY DATE 03/26/2004 | |

Audrey A. Millemann
Weintraub Genshlea Chediak
400 Capitol Mall, 11th Floor
Sacramento, CA 95814

CONFIRMATION NO. 4653
371 FORMALITIES LETTER



Date Mailed: 02/04/2008

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371
IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Priority Document
- Copy of the International Application filed on 09/26/2008
- Copy of the International Search Report filed on 09/26/2008
- Copy of IPE Report filed on 09/28/2008
- U.S. Basic National Fees filed on 09/26/2008
- Priority Documents filed on 09/26/2008
- Specification filed on 09/26/2008
- Claims filed on 09/26/2008
- Abstracts filed on 09/26/2008
- Drawings filed on 09/26/2008

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and International filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

8/4/08
am

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

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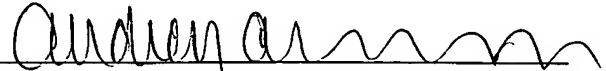
If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

Respectfully submitted,

Steven Hepworth and Arthur Sharp

By: 

Audrey A. Millemann (Reg. No. 44,942)

Attorney for Applicants

Weintraub Genshlea Chediak

Law Corporation

400 Capitol Mall, Eleventh Floor

Sacramento, California 95814

916/558-6033



PTO/SB/21 (01-08)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

11

| | |
|------------------------|--------------------|
| Application Number | 10/594,354 |
| Filing Date | September 26, 2006 |
| First Named Inventor | Steven Hepworth |
| Art Unit | |
| Examiner Name | |
| Attorney Docket Number | 12283/15451 |

ENCLOSURES (Check all that apply)

| | | |
|--|---|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input checked="" type="checkbox"/> Drawing(s) 1 sheet <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1) Copy of Notification of Missing Requirements 2) Copy of Notification of Defective Response 3) Return Card |
| Remarks | | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

| | | | |
|--------------|----------------------------|----------|--------|
| Firm Name | Weintraub Genshlea Chediak | | |
| Signature | | | |
| Printed name | Audrey A. Millemann | | |
| Date | July 31, 2008 | Reg. No. | 44,942 |

CERTIFICATE OF TRANSMISSION/MAILING Express Mail EV469011162US

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as ☒ mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: **express**

| | | | |
|-----------------------|---------------------|------|---------------|
| Signature | | | |
| Typed or printed name | Audrey A. Millemann | Date | July 31, 2008 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Effective on 12/08/2004.

Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2008☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

820

Complete if Known

| | |
|----------------------|--------------------|
| Application Number | 10/594,354 |
| Filing Date | September 26, 2006 |
| First Named Inventor | Steven Hepworth |
| Examiner Name | |
| Art Unit | |
| Attorney Docket No. | 12283/15451 |

METHOD OF PAYMENT (check all that apply)
☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 501176 Deposit Account Name: Weintraub Genshlea et al.

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee
☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| Application Type | FILING FEES | | SEARCH FEES | | EXAMINATION FEES | | Fees Paid (\$) |
|------------------|-------------|-----------------------|-------------|-----------------------|------------------|-----------------------|----------------|
| | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | Fee (\$) | Small Entity Fee (\$) | |
| Utility | 310 | 155 | 510 | 255 | 210 | 105 | |
| Design | 210 | 105 | 100 | 50 | 130 | 65 | |
| Plant | 210 | 105 | 310 | 155 | 160 | 80 | |
| Reissue | 310 | 155 | 510 | 255 | 620 | 310 | |
| Provisional | 210 | 105 | 0 | 0 | 0 | 0 | |

2. EXCESS CLAIM FEES

| Fee Description | Fee (\$) | Small Entity Fee (\$) |
|--|----------|-----------------------|
| Each claim over 20 (including Reissues) | 50 | 25 |
| Each independent claim over 3 (including Reissues) | 210 | 105 |
| Multiple dependent claims | 370 | 185 |

| Total Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|----------|---------------|
| - 20 or HP = | x | = | |

HP = highest number of total claims paid for, if greater than 20.

| Indep. Claims | Extra Claims | Fee (\$) | Fee Paid (\$) |
|---------------|--------------|----------|---------------|
| - 3 or HP = | x | = | |

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof | Fee (\$) | Fee Paid (\$) |
|--------------|--------------|--|----------|---------------|
| - 100 = | / 50 = | (round up to a whole number) x | = | |

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Petition for Extension of Time

Fees Paid (\$)

820

SUBMITTED BY

| | | | |
|-------------------|----------------------------|--|------------------------|
| Signature | <u>Audrey A. Millemann</u> | Registration No. (Attorney/Agent) 44,942 | Telephone 916-558-6033 |
| Name (Print/Type) | Audrey A. Millemann | | Date July 31, 2008 |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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